

REMARKS

Claims 1-2, 4-7, 9-11 and 13-56 are pending in the present application. By this reply, claims 3, 8 and 12 have been canceled and new claims 55-56 have been added. Claims 1, 6, 10, 15, 19, 22, 26, 36 45 and 55 are independent.

The claims have been amended to clarify the invention and to correct informalities according to U.S. practice. These modifications are fully supported by the original disclosure.

35 U.S.C. § 102(b) Rejection

Claims 1-4, 6-8 and 10-13 have been rejected under 35 U.S.C. § 102(b) as being anticipated Fujinami et al. (U.S. Patent No. 5,455,684). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Without acquiescing to any of the Examiner's allegations made in rejecting these and other claims, to expedite prosecution only, independent claims 1, 6, and 10 have been amended to clarify that managing information for managing the object includes entry information associated with an entry point of the digital data stream and information indicating whether or not the entry information associated with the entry point exists. This feature is clearly absent from Fujinami et al.

As shown in Figures 13 and 14 of Fujinami et al., entry points (I-Picture points) are provided as part of an entry packet. However, the entry packet of Fujinami et al. does not teach or suggest, *inter alia*, managing information which includes both the entry information

associated with the entry point of the digital data stream as well as information indicating whether or not the entry information associated with the entry point exists. Accordingly, independent claims 1, 6 and 10 are patentable over the applied reference and the rejection should be withdrawn.

35 U.S.C. § 103 Rejection

Claims 5, 9 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fujinami et al. (U.S. Patent No. 5,455,684). Claims 15-54 have been rejected under 35 U.S.C. § 103(a) as being unpatentable Fujinami et al. (U.S. Patent No. 5,455,684) taken with Hasegawa et al. (U.S. Patent No. 6,282,320). These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

As discussed above, Fujinami et al. does not teach or suggest, *inter alia*, managing information (recorded or stored) for (managing) the object, wherein the managing information includes entry information associated with the entry point of the digital data stream and information indicating whether or not the entry information associated with the entry point exists, as recited in each of the independent claims. Furthermore, Hasegawa et al. does not overcome these deficiencies of Fujinami et al. since Hasegawa et al. is merely relied on providing general DVD data structures. Therefore, even if the references were combinable, assuming *arguendo*, the combination of references would still fail to teach or suggest the invention as recited in independent claims 1, 6, 10, 15, 19, 22, 26, 36 and 45.

Accordingly, independent claims 1, 6, 10, 15, 19, 22, 26, 36 and 45 and their dependent claims (due to their dependency) are patentable over the applied reference(s), and reconsideration and withdrawal of the rejections are respectfully requested.

New Claims

Claims 55 and 56 are directed to a method for recording a digital data stream which emphasizes distinguishing features of the present invention. Thus, these claims are believed to be allowable over the prior art of record.

Conclusion

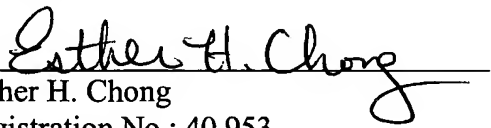
For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and to provide an early issuance of a Notice of Allowance.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 
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Attachment: Abstract of the Disclosure